



Attorney Docket No. 15164 ✓

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth W. McLean et al.

Serial No. 10/822,465

Art Unit: 3621

Filed: April 12, 2004

Examiner: TBD

Title: Independent Hydraulic Header Lift and Flotation System

Mail Stop: MISSING PARTS
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being forwarded to the U.S. Patent Office via the U.S. Postal Service, first class postage attached, on October 8, 2004.


John B. Mitchell

PETITION AND
REPLY TO NOTICE OF OMITTED ITEM(S) IN A NON-PROVISIONAL
APPLICATION

This Petition and Reply is in response to the Notice of Omitted Item(s)
August 11, 2004, given in the above-identified application for Letters Patent.

10/14/2004 RBERHE 00000007 140760 10822465

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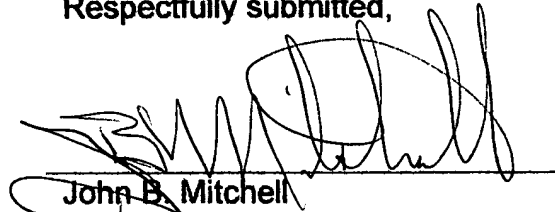
PETITION AND REPLY TO NOTICE OF OMITTED ITEMS(S)

1. The Notice of Omitted Items(s) indicates that pages 2 and 5 of the specification were originally omitted. Applicant contends that the identified pages were, in fact, deposited with the U.S. Patent and Trademark Office with the non-provisional application papers, as evidenced by the Return Receipt Post Card, copy attached hereto as Exhibit A. Note that the Post Card indicates that the specification consisted of 13 pages. The Official Date Stamp of the Patent Office on the Post Card acknowledges, prima facie, that the 13 pages were received.
2. Attached hereto is an Entire Replacement Specification (13 pages) as prepared and originally filed with the non-provisional application papers, and as acknowledged by the Patent Office Date Stamp on the Return Receipt Post Card.
3. Also attached is a copy of the Notice of Omitted Items(s).
4. The Commissioner is hereby authorized to charge the \$130.00 Petition fee, and any additional fees that might be properly assessed, to the CNH America LLC Deposit Account No. 14-0780.

5. Applicant submits that the Notice of Omitted Item(s) is overcome by the facts contained in this Petition and Reply, and respectfully requests that the Entire Replacement Specification enclosed herewith be placed in the application, and further that the application be forwarded to the Examination Division for complete examination.

Respectfully submitted,

Date: October 7, 2004

A handwritten signature in black ink, appearing to read "John B. Mitchell", is written over a horizontal line.

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